

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT ANDERSON,

Plaintiff,

v.

KEVIN ALLEN JUTZY, M.D.,
RAUL TUMADA, P.A., BADAWI
ABELLATIF, M.D., and ANGELA
VETTRAINO,

Defendants.

CIVIL ACTION NO. 15-11727

DISTRICT JUDGE DAVID M. LAWSON

MAGISTRATE JUDGE R. STEVEN WHALEN

ORDER

Defendants Abdellatif and Tumada have filed a motion to compel discovery [Doc. #37], specifically requesting that Plaintiff execute a release so that Defendants may obtain his medical records.

I have filed a Report and Recommendation (“R&R”), recommending that these Defendants be dismissed without prejudice based on Plaintiff’s failure to exhaust his administrative remedies before filing suit. If that R&R is adopted, this motion to compel discovery will be moot.

Therefore, Defendants’ motion to compel [Doc. #37] is DENIED WITHOUT PREJUDICE.

IT IS SO ORDERED.

s/R. Steven Whalen
R. STEVEN WHALEN
United States Magistrate Judge

Dated: February 2, 2017

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on February 2, 2017, electronically and/or by U.S. mail.

s/Carolyn M. Ciesla
Case Manager